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*Attorneys for Relief Defendants
Kim C. Tucker and Park 269 LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

AMG SERVICES, INC., an Oklahoma Tribal
Entity; RED CEDAR SERVICES, INC., an
Oklahoma Tribal Entity, also dba 500
FastCash; SFS, INC., a Nebraska Tribal
Entity, also dba OneClickCash; TRIBAL
FINANCIAL SERVICES, an Oklahoma
Tribal Entity, also dba Ameriloan,
UnitedCashLoans, USFastCash, and Miami
Nation Enterprises; AMG CAPITAL
MANAGEMENT, LLC, a Nevada Limited
Liability Company; LEVEL 5
MOTORSPORTS, LLC, a Nevada Limited
Liability Company; LEADFLASH
CONSULTING, LLC, a Nevada Limited
Liability company; PARTNER WEEKLY,
LLC, a Nevada Limited Liability Company;
BLACK CREEK CAPITAL
CORPORATION, a Nevada Corporation;
BROADMOOR CAPITAL PARTNERS.

Case No. : 2:12-cv-00536-GMN-VCF

**UNOPPOSED MOTION BY RELIEF
DEFENDANTS REGARDING FILING OF
ANSWER AND ORDER THEREON**

1 LLC, a Nevada Limited Liability Company;
2 THE MUIR LAW FIRM, LLC, a Kansas
3 Limited Liability Company; SCOTT A.
4 TUCKER, in his individual and corporate
5 capacity; BLAINE A. TUCKER, in his
6 individual and corporate capacity; TIMOTHY
7 J. MUIR, in his individual and corporate
8 capacity; DON E. BRADY, in his individual
9 and corporate capacity; and TROY L.
10 LITTLEAXE, in his individual and corporate
11 capacity,

12 Defendants, and

13 PARK 269 LLC, a Kansas Limited Liability
14 Company; and KIM C. TUCKER, in her
15 individual and corporate capacity,

16 Relief Defendants.

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18 Relief Defendants Kim C. Tucker and Park 269, LLC (“Relief Defendants”) hereby move
19 this Court for an order extending their deadline to file an answer in this case until fourteen (14)
20 days after a finding of liability against any defendant, if any, in Phase I of this lawsuit. The
21 instant motion is unopposed by Plaintiff Federal Trade Commission (“FTC”). This Motion is
22 based on the attached Memorandum of Points and Authorities, the papers and pleadings on file in
23 this action, and any oral argument this Court may allow.

24 DATED this 23rd day of January, 2013.

25 /s/ Patrick J. Reilly

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
UNOPPOSED MOTION BY RELIEF DEFENDANTS
REGARDING FILING OF ANSWER**

The FTC commenced this action on April 2, 2012, asserting various violations of federal law against numerous defendants. Mrs. Tucker and Park 269, LLC are Relief Defendants—by their very nature, they have done nothing wrong—they are nominal defendants in a case where it is alleged that others have engaged in wrongdoing. *Commodity Futures Trading Comm’n v. Kimberlyn Creek Ranch, Inc.*, 276 F.3d 187 (4th Cir. 2002).

After filing of the Complaint, various motions to dismiss were filed by various defendants, including the Relief Defendants. Said motions have been fully briefed, heard, and adjudicated, and the Relief Defendants’ Answer is presently due.

On December 27, 2011, this Court issued an Order Entering Stipulated Preliminary Injunction and Bifurcation (the “Bifurcation Order”) (Doc. #296). The Bifurcation Order separated this action into two phases. Phase I is a liability phase involving the FTC and the Defendants. Phase II involves *inter alia* relief to be sought against Relief Defendants, if any, depending on the outcome of Phase I.

Because Phase I does not involve any claims against Relief Defendants, Relief Defendants hereby request that they be relieved of the obligation to file an answer until fourteen (14) days after a finding of liability against any defendant, if any, in Phase I of this lawsuit.

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1 The FTC does not oppose this Motion. This is the first request for extension of time
2 requested by Relief Defendants as to the filing of their Answer.

3 DATED this 23rd day of January, 2013.

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5 /s/ Patrick J. Reilly

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15 Kansas City, MO 64112

16 *Attorneys for Relief Defendants Kim C. Tucker and*
17 *Park 269 LLC*

18 **ORDER**

19 **IT IS SO ORDERED** this 24th day of January, 2013.

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Gloria M. Navarro
United States District Judge

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